REMARKS

Claims 1-8 stand rejected. Claims 1, 2, 4-6 and 8 have been amended while claims 3 and 7 have been cancelled herein. Therefore, claims 1, 2, 4-6 and 8 are at issue.

As an initial matter, a Petition for a one month extension of time and appropriate fee are being filed herewith. Should additional fees be required in connection with this matter, please charge our Deposit Account No. 23-0785 the necessary amount.

Claims 1-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,657,389 to Houvener. Applicants have amended independent claims 1, 2, 5 and 6 to clarify the recited methods and further distinguish over Houvener. Specifically, the independent claims have been amended to include the aspect of dependent claims 3 and 7, wherein the computer is a portable or hand-held computer. This aspect, when read in view of the remaining recitations in the independent claims, is not disclosed or suggested in Houvener.

The Office Action asserts that Houvener discloses that the terminal (1), as shown in Figure 2, is portable. However, even assuming *arguendo* that the structure shown in Figure 2 of Houvener is a portable computer, this structure does not perform the recited steps found in independent claims 1, 2, 5 and 6. Specifically, independent claim 1 recites maintaining a database in the portable or hand-held computer, sending the read data to the portable or hand-held computer and comparing the sent data to the database, via the portable or hand-held computer. The terminal (1) of Houvener does not perform

these steps. Instead, the read data is sent from the terminal (1) to a remote database or plurality of databases which then compares the data. (Refer to column 5, line 35 through column 6, line 49). Therefore, as Houvener fails to disclose one or more aspects recited in independent claim 1, the rejection should be withdrawn and the claim allowed.

Independent claims 2, 5 and 6 recite similar steps and therefore, for the reasons similar to those stated above with respect to claim 1, the rejection of claims 2, 5 and 6 should also be withdrawn and the claims allowed.

Claims 4 and 8 depend from and more specifically recite the methods of claims 1, 2, 5 and 6. Therefore, the rejection of dependent claims 4 and 8 should be withdrawn and the claims allowed.
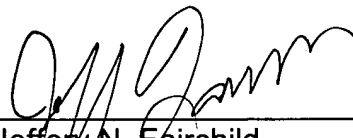
Furthermore, dependent claims 4 and 8, as amended, recite that the portable or hand-held computer is one of plural portable or hand-held computers, each of which maintains a replica of the database. Houvener also fails to disclose this aspect as the terminals (1) have to transmit data to a remote database and therefore do not each maintain a replica of the database. For this additional reason, the rejection of dependent claims 4 and 8 should be withdrawn and the claims allowed.

CONCLUSION

Applicant respectfully requests entry of the present Amendment, reconsideration of the rejection of claims 1, 2, 4-6 and 8 and allowance of the case.

Respectfully submitted,

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